REMARKS

The allowance of claims 2, 3, 5 and 6 is gratefully acknowledged by the Applicant.

Claims 1 and 4 have been amended. Claims 1-6 are pending in the present application, of which claims 2, 3, 5 and 6 have been allowed. Applicant reserves the right to pursue the original claims and other claims in this application and in other applications.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Saito, U.S. Patent No. 5,377,178. The rejection is respectfully traversed.

Claim 1 recites a "data recording clock signal generator that generates a recording clock signal synchronous with a wobble signal used for recording data on an optical disk." The generator includes a recording clock signal generating unit that generates the recording clock signal having a frequency controlled in accordance with the frequency control signal generated by the frequency control signal generator. The recording clock signal dividing unit is provided with a "frequency dividing rate setting unit that sets a reference frequency dividing rate by which the frequency of the recording clock signal is divided and a frequency dividing rate different from the reference frequency dividing rate." According to claim 1, "a phase relationship between the wobble signal and the recording clock signal can be changed by a unit smaller than one clock cycle of the recording clock signal each time the frequency dividing rate setting unit changes its setting."

Applicant respectfully submits that Saito fails to disclose the claimed data recording clock signal generator. Specifically, Saito fails to disclose a generator that has the ability to change a phase relationship between the wobble signal and the recording

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clock signal by a unit smaller than one clock cycle of the recording clock signal each time the frequency dividing rate setting unit changes its setting.

Saito does not disclose changing the phase relationship between the wobble signal and the recording clock signal by any unit. The Office Action refers to Saito's PLL circuit as adjusting phase relationships based on misalignment. The Saito PLL circuit, however, cannot and does not disclose the ability to change a phase relationship between the wobble signal and the recording clock signal by a unit smaller than one clock cycle of the recording clock signal "each time the frequency dividing rate setting unit changes its setting" as recited in claim 1. As such, the claimed invention is patentable over Saito. The rejection should be withdrawn and claim 1 allowed.

Claim 4 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Fushima, U.S. Patent No. 6,088,307. The rejection is respectfully traversed.

Claim 4 recites a "A data recording clock signal generator that generates a recording clock signal synchronous with a wobble signal used for recording data on an optical disk having a data recording track wobbled by the wobble signal, which has predetermined frequency components, and on which address information and a synchronizing signal are phase-modulated and superimposed." The generator includes "a phase difference signal generating unit that generates a phase difference signal as a result of a phase comparison between the wobble signal and the divided clock signal." A masking unit "that generates a phase comparison mask signal to prevent the phase difference signal generating unit from generating the phase difference signal" is also included. According to claim 4, the " mask signal being generated at a portion of the wobble signal on which either the address information or the synchronizing signal is phase modulated and superimposed on the optical disk."

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Applicant respectfully submits that Fushimi fails to disclose the invention recited in claim 4. Specifically, Fushimi fails to disclose "a masking unit that generates a phase comparison mask signal to prevent the phase difference signal generating unit from generating the phase difference signal" where the "mask signal [is] generated at a portion of the wobble signal on which either the address information or the synchronizing signal is phase modulated and superimposed on the optical disk." The portion of the Fushimi patent relied on in the Office Action relates to modifying feedback signals when processing an information portion of a disk that does not include a wobble signal. The modification is based on the portion of the disk being read and is not based on whether address information or a synchronizing signal is phase-modulated on the optical disk as recited in claim 4. Accordingly, claim 4 is believed to be allowable over Fushimi. The rejection should be withdrawn and claim 4 allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Respectfully submitted,

By _____

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